



1 RICHARD G. HYPPA  
2 Attorney at Law  
3 SBN104547  
Tracy Law Center  
120 E. 12<sup>th</sup> St.  
Tracy, CA 95376  
4 Telephone 209) 836-9288  
5 Facsimile 209) 836-9289

Not Signed: August 27, 2019

Stephen L. Johnson  
U.S. Bankruptcy Judge

6 Attorney for Interested Parties  
MYRON PALMORE, CARRIE  
7 PALMORE

\* see reason below

9  
10 UNITED STATES BANKRUPTCY COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN JOSE DIVISION

13 In Re:  
14 MADISYN NORTHEAST, LLC,  
15 Debtor.

Case No.: 10-59531

16 ORDER ON EXPARTE APPLICATION TO REOPEN  
CASE; RE-APPOINT TRUSTEE

18 The Ex parte Application to Reopen Case; Re-appoint Trustee filed by Interested Parties MYRON  
19 PALMORE and CARRIE PALMORE having been considered by the Court,

20 Upon proof to the satisfaction of the Court and good cause appearing therefore,

21 IT IS ORDERED that the above-captioned Bankruptcy case shall be reopened to allow Interested Parties  
22 MYRON PALMORE and CARRIE PALMORE to move the Court for an Order Granting Motion to Value  
23 Collateral and to Avoid Junior Lien which was filed by the Debtor MADISYN NORTHEAST, LLC on October 13,  
24 2010. No Trustee shall be appointed.

25 \*\*\*END OF ORDER\*\*\*

26 Motion is unclear if movant is entitled to relief. Within 10 days, Movant needs to file a supp. brief with  
27 applicable legal authorities addressing (1) how movant has standing to step into debtor's shoes to  
request relief on a motion filed by debtor; and (2) what authority the court has to rule on a motion to  
28 value and avoid lien in this ch 7 case when Dewsnup v. Timm, 502 U.S. 410 (1992), holds that a  
debtor cannot value collateral and strip lien in chapter 7. See also In re Laskin, 222 B.R. 872 (9th  
Cir. BAP 1998)(Ch 7 debtor lacks standing to avoid lien under sec. 506). Movant may resubmit order  
after filing the brief. Failure to timely file the brief will result in the denial of the motion without further  
notice.